

REMARKS

Applicant respectfully requests reconsideration of the subject application. This Response is submitted in response to the Non-Final Office Action mailed August 31, 2010. Claims 1-29, 31-41, 43-56 and 58-66 are pending. Claims 1-21 are withdrawn from consideration. Claims 22-29, 31-41, 43-56 and 58-66 are rejected. In this Amendment, claims 34 and 43 have been amended. No new matter has been added.

Claim Objections

The Examiner objected to claim 34 because of an informality. Applicant has made appropriate correction.

35 U.S.C. § 112 Rejections

The Examiner has rejected claim 34 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that claim 34 recited the limitation “the processor”. Applicant has amended claim 34 to recite “a processor.” Applicant believes that the amendment overcomes the Examiner’s rejection. Applicant, respectfully requests withdrawal of the rejections of claim 22 under 35 U.S.C. § 112, second paragraph.

35 U.S.C. §103 Rejections

The Examiner has rejected claims 22-29, 31-41, 43-56 and 58-66 under 35 U.S.C. § 103(a) as being unpatentable over Cheung, et al., (U.S Patent Publication No.: 2003/0028529, hereinafter “Cheung”) in view of Leishman, et al., (U.S Patent

Publication No.: 2004/0073538, hereinafter "Leishman"). Applicant submitted a Notice of Appeal on November 30, 2010 and is filing an Appeal Brief concurrently with this Amendment to address the rejections under 35 U.S.C. § 103(a).

Applicant requests withdrawal of the claim objections and rejections under 35 U.S.C. § 112, second paragraph.

Please charge any shortages and credit any overages to Deposit Account No. 19-3140. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 19-3140.

Respectfully submitted,
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